



CALIFORNIA High-Speed Rail Authority

Business Advisory Council (BAC) Summary Meeting Notes for November 30, 2018

Summary Notes

707 Third Street West Sacramento, CA 95605

Members Present:

Association	Primary	Alternate
ACEC	Arvin Chaudhary	
AICC		
AAAE		
AAa/e	Linden Nishinaga	
AGC		Chris Smith
CBCC		
COMTO		Jesus Vargas
DVBA		Rebecca Robison
GFACC	Debbie Hunsaker	
KMCA		Nick Hill
LRRT	Paul Guerrero	
LBA		
NAACP	Betty Williams	
NAMC	Peter Varma	
NCA		
SFAACC		
SBG	Esther Shaw	
SAME		
USPAACC	Parkash Daryani	
WCOE		Ruth Bley
WTS	Shari Tavafrashti	

Council Chair: Alice Rodriguez, External Affairs Deputy Director

Absent Seat(s): Adam Holt (AICCC), Eddy Lau (AAAE), Cheryl Brownlee (CBCC), Leonard Ortiz (LBA), Diana LaCome (NCA), Fred Jordan (SFAACC), Timothy Peel (SAME)

California High-Speed Rail Authority (Authority) Team Present: Jeannie Jones – Chief Admin. Officer, Pam Mizukami – Chief Deputy Director, Ed Scholte Assistant Chief Administrative Officer, Shahin Pourvahidi – Strategic Delivery Contract Manager, Catrina Blair – Small Business Advocate, Meilani Sabadlab – External Affairs Technical Associate, Kasaundra Duncan – Title VI Technical Associate, Michael Guzman – Contract Compliance Analyst; Jon Leggett – Contract Compliance Analyst

Guests: John James (DFJV), Cynthia Holt – Small Business Officer (WSP - Interim)

I. Welcome and Introductions (Alice Rodriguez)

- Council Chair, Ms. Rodriguez, called the meeting to order at 1:01 PM.
- Ms. Rodriguez welcomed and thanked everyone for attending the meeting and concluded with whole room introductions.
- Ms. Rodriguez mentioned she had a special announcement, as well as a few general administrative items that needed to be addressed:
 - Special Announcement
 - Ms. Rodriguez regretfully announced the passing of fellow BAC Member, Aubry Stone as of November 28, 2018. Mr. Stone served on the Business Advisory Council (BAC) and represented the California Black Chamber of Commerce.
 - She continued to lead with a quick summary of Mr. Stone's major career accomplishments.
 - General Administrative Announcements
 - Ms. Rodriguez reported to the BAC of the Authority's organization restructure, informing them that the Small Business Branch has transitioned to the Administrative Department headed by Jeannie Jones, Chief Administrative Officer.
 - Ms. Rodriguez acknowledged the Professional Services' Letter to Brian Kelly and Mr. Kelly's Response letter – informing the Council that this topic would be discussed later in the meeting.
 - Ms. Rodriguez also provided a quick overview of Senate Bill 605 (SB 605) and how it affects small businesses in public works projects.
 - A SB 605 informative handout was distributed to all meeting participants.
 - Ms. Rodriguez suggested having a Department of General Services (DGS) representative meet with the Council in February and provide an overview of SB 605.
 - As requested by the Council, Ms. Rodriguez announced that the Authority will capture a 2019 membership photo of all *affirmed* BAC Members. She mentioned that Ms. Catrina Blair – Small Business Advocate, would discuss this topic further in the agenda.
- Ms. Rodriguez finished her opening remarks and provided a quick overview of the meeting agenda.

BAC Member Questions and Concerns:

- Member Guerrero questioned if Disadvantaged Business Enterprise (DBE) firms would be considered as a Small Business now that SB 605 minimized the dollar gap. Ms. Rodriguez replied the Authority was unsure and suggested inviting a representative from the Department of General Services (DGS) to discuss SB 605 during the February 2019 meeting.

II. Approval of 2018 August Business Advisory Council Meeting Minutes (Alice Rodriguez)

- Ms. Rodriguez reminded the Council that the Draft August Meeting minutes were distributed via email to all Members on August 29 – keeping to the Authority's 30 day commitment of distribution. She noted that no comments were received.
- Member Hunsaker motioned to approve the August meeting minutes and Member Nishinaga seconded the motion. The August minutes were approved in favor of the entire council, none

opposed.

III. BAC Operating Guidelines (Catrina Blair)

- Ms. Blair announced that she wanted to address the BAC Operating Guidelines, 2019 Letters of Affirmation, the 2019 Annual Meeting Schedule and the 2019 BAC Membership photo.
 - BAC Operating Guidelines
 - Ms. Blair informed the Council that the existing BAC Operating Guidelines were currently under review. She explained the revisions will provide additional clarity on certain concerns such as the following:
 - Membership (Add/Removal)
 - Membership Roles and Responsibilities
 - How to Develop a New Sub-Committee
 - Ms. Blair mentioned that moving forward, the Authority will enforce all BAC regulations as stipulated in the revised BAC Operating Guidelines.
 - She stated that all 2019 affirmed BAC members would receive the revisions once the document was available. The revisions are expected to be complete prior to the 2019 February meeting.
 - 2019 Letters of Affirmation
 - Ms. Blair also addressed the submission of 2019 Letters of Affirmation. She mentioned that following the meeting, we will circulate the 2019 Letter of Affirmation Template.
 - Based on the received 2019 Letters of Affirmation, an updated 2019 BAC Roster will be posted to the Authority website identifying affirmed members. Moreover, only affirmed members will be included in future BAC correspondence.
 - All 2019 Letters of Affirmation are due to the Authority by Friday, December 28, 2018. All letters should be submitted to the Small Business Team at BAC@HSR.ca.gov.
 - 2019 BAC Meeting Schedule
 - Ms. Blair announced that the Authority secured meeting space at the DGS Building in West Sacramento, and that the 2019 Meeting Schedule can be found on the [BAC website](#).
 - At quick glance, the dates are as follows:
 - Tuesday, February 12
 - Tuesday, May 14
 - Tuesday, August 13
 - Tuesday November 12
 - 2019 BAC Membership Photo
 - Ms. Blair declared that during the 2019 February Meeting, all affirmed members (Primary and Alternative) would have their group photo captured.
 - The BAC Membership photo will be featured in the Authority's quarterly Small Business Newsletter, which is posted to the Authority's public website and circulated among a wide-spread audience.

BAC Member Questions and Concerns:

- Member Varma inquired the benefits of attending the BAC. Ms. Rodriguez reminded the Council that their participation did not grant them any special privileges to contracting opportunities.
- Member Nishinaga and Member Tavafrashti requested a project master schedule/look-ahead-schedule and requested that the BAC immediately be notified after any procurement is publicly released, as many small businesses do not have the resources to monitor procurements. Ms. Rodriguez mentioned that the team can certainly notify the BAC.
 - Member Chaudhry strongly encouraged the Authority to review Caltrans' look-ahead-schedule and produce a similar replication of our own. Ms. Jones explained the uniqueness of the program and stated that the Authority is not like other sister agencies in regards to funding and foreshadowing future procurements/construction packages.

IV. Project Updates

Construction Package 2-3 (John James)

- John James, provided a high-level explanation of Dragados Flatiron's (DFJV) BAC Written Report (included in BAC member packet).
- Mr. James explained that the biggest challenge DFJV is currently experiencing is land acquisition. He explained that DFJV is receiving land sporadically opposed to strips of land. He declared that DFJV has obtained about 60% of its parcels but 50% of actual right-of-way.

BAC Member Questions and Concerns:

- Member Nishinaga asked the color of the asphalt that DFJV is currently digging into. Since this was not Mr. James' expertise, he was unable to accurately describe the asphalt. Ms. Rodriguez mentioned that she would reach out to our Sustainability Manager and inquire about a related, educational video she recently viewed and would distribute the video to the BAC.
- Member Bley commented that if there are no small businesses that can perform certain scopes of work, then the small business set-aside should be reallocated to target work that has a greater pool of small businesses.

WSP – Professional Service Contract (Cynthia Holt)

- Ms. Holt informed the BAC that she was the acting Small Business Officer for WSP, however, they are in the midst of bringing on a full time Small Business Officer within the next few weeks.
- Ms. Holt provided an overview of WSP's report included in the BAC member packet. She mentioned that their small business total engagement metrics were reflective of inception to date and that not all firms were actively working on the project.
- Some challenges that WSP are currently facing include:
 - Finding information technology and right-of-way subcontractors;
 - Concerns surrounded by required documents for subcontractors, especially sole proprietors.

BAC Member Questions and Concerns:

- Member Chaudhry stressed his concern about business exposure (cyber security) when asked to upload business documents to the WSP website as a pre-requisite to do work with WSP. Unfortunately Ms. Holt was not familiar with the pre-requisites to do work with WSP. Alice suggested that we have a WSP representative discuss their “pre-requisite” requirements at a future BAC meeting.
- Member Vargas advocated for the use of supportive services to assist small businesses with understanding document requirements and technical contracting language.

V. Prior Meeting Requests (Alice Rodriguez)

- Ms. Rodriguez provided an overview of the 7 requested action items the Authority completed since the last August BAC Meeting:
 - Percentage of small businesses on Construction Package 2-3’s design work.
 - Information regarding the State’s Small Business/Disabled-Veteran Business Enterprise Option (SB/DVBE Option).
 - Information about the Authority’s vendor registry, ConnectHSR.
 - Documentation regarding the Project Master Schedule.
 - Clarity on the roles of the Primary and Alternative BAC Members.
 - The development of a Memorandum of Understanding with PGE and AT&T.
 - The Small Business Performance Plan of the three Design-Build Primes and Rail Delivery Partner.
- Additionally, Ms. Rodriguez provided a status report of the following open/pending items:
 - Future separation program goals for (30/10/3) professional service firms on Design-Build Contracts.
 - While the Authority had intended that the BAC receive this information on a monthly basis, the Design-Build Partner are not contractually obligated to track this level of utilization and therefore, will not report this data on a regular basis. However, this data can be reviewed on the monthly Summary of Construction Utilization Report.
 - Prime payment notifications posted to the Authority’s website.
 - Per the response letter from Brian Kelly to the BAC, the first report was emailed to all members prior to the November BAC meeting and the subsequent report(s) will be posted monthly to the Authority’s [small business webpage](#).
 - Information regarding small business goals (30/10/3) on contracts with funding agreements with other local/state/federal agencies.
 - Per Mr. Kelly’s response letter, the Authority approved an update to current Small Business Policy that will clearly outline which contracts will be exempt from small business program goals.
 - The development of a dispute resolution/appeal process for all concerns.
 - Per Mr. Kelly’s response letter, the Authority identified a formal online intake process for all inquiries and concerns related to small business. This is anticipated to be initiated by the end of the year.

- Reproduce small business metrics in a reader-friendly format.
 - The Authority determined that all reports will be distributed in the manner which they are currently prepared.
- Identify which firms are Professional Services, Construction and vendors/suppliers on the Small Business Master List.
 - The Authority has determined that all reports will be distributed in the manner which they are currently prepared.
- Consider holding bi-monthly BAC meetings, opposed to quarterly meetings.
 - The Authority will continue with quarterly meetings during the 2019 year.

VI. Committee Meeting Updates

Professional Service Committee (Linden Nishinaga, Committee Chair)

- The Professional Service Committee addressed the following topics:
 - Requested that the newly developed Prime Payment Report include a link to the respective Form 103.
 - Requested the separation of the 30/10/3 small business goals for professional services on future Design-Build contracts.
 - Requested the Authority create a mechanism to provide better overhead rates for small businesses.
 - Requested the Small Business Performance Plan for the Early Train Operator (ETO).
 - Requested a program look-a-head schedule.
 - Pam Mizukami, Chief Deputy Director, suggested having Joe Hedges, Chief Operating Officer, present at a future BAC Meeting.

Construction Committee (Debbie Hunsaker, Interim Committee Chair)

- The Construction Committee addressed the following topics:
 - Due to the recent restructure of the Construction Committee, they've decided to reprioritize their meeting structure including respective roles and responsibilities, as well as their committee goals.
 - Requested that the Supplier Management Memo be posted visibly on the Authority's website and Small Business Newsletter.

VII. 2019 Annual Meeting Schedule (Catrina Blair)

- The 2019 BAC Meeting dates are set and have been identified as follows:
 - Tuesday, February 12
 - Tuesday, May 14
 - Tuesday, August 13
 - Tuesday, November 12
- The 2019 BAC Meeting Schedule is posted to the [BAC webpage](#).
- Do to the cancelation of the 2018 October Construction Tour in Bakersfield, the Authority is open to hosting a BAC Construction Tour in addition to the scheduled quarterly meetings. Future correspondence will be distributed to the Council.

VIII. Member and Public Comment and Adjournment

- Member Guerrero stressed his concern for having zero minority working groups in the San Jose area.
- Member Hill requested that the State's Small Business Advocate Contact List be updated. Ms. Blair instructed Mr. Hill to contact Danetta Jackson with the Department of General Services.
- Member Varma encouraged more collaboration between the Authority and the BAC Membership.
- Member Guerrero motioned to adjourn the meeting in memory of Mr. Aubry Stone.
- Member Hunsaker seconded the motion.
- The Full Council Meeting was adjourned by Ms. Rodriguez at 3:47 PM.